

UNIFORM PROPERTY OR EASEMENT
ACQUISITION OFFER

DATE: April 2, 2014

PROJECT: Big 3 Sewer Project

PARCEL: 14

COUNTY: Tippecanoe

American Suburban Utilities, Inc. is authorized by Indiana law to obtain your property or an easement across your property for certain public purposes. American Suburban Utilities, Inc. needs an easement across your property for a sewer line, and needs to take the following permanent and temporary easements, described as follows:

[SEE ATTACHED LEGAL DESCRIPTIONS]

It is our opinion that the fair market value of the easements we want to acquire from you is as follows:

Permanent Easement (.239 acres)	\$ 180.00
Temporary Easement (.164 acres)	\$ 75.00

and, therefore, American Suburban Utilities, Inc. offers you \$ 255.00 for the above described easements. You have thirty (30) days from this date to accept or reject this offer. If you accept this offer, you may expect payment in full within thirty (30) days after signing the documents accepting this offer and executing the easement, and provided there are no difficulties in clearing liens or other problems with title to land. Possession will be required thirty (30) days after you have received your payment in full.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, American Suburban Utilities, Inc. is required to make a good faith effort to purchase an easement across your property.
2. You do not have to accept this offer and American Suburban Utilities, Inc. is not required to agree to your demands.
3. However, if you do not accept this offer, and we cannot come to an agreement on the acquisition of an easement, American Suburban Utilities, Inc. has the right to file suit to condemn and acquire the easement in the county in which the property is located.
4. You have the right to seek advice of an attorney, real estate appraiser, or any other person of your choice on this matter.
5. You may object to the public purpose and necessity of this project.
6. If American Suburban Utilities, Inc. files a suit to condemn and acquire an easement and the court grants its request to condemn, the court will then appoint three appraisers who will make an independent appraisal of the easement to be acquired.
7. If we both agree with the court appraisers' report, then the matter is settled. However, if either of us disagrees with the appraisers' report to the court, either of us has the right to ask for a trial to decide what should be paid to you for the easement condemned.
8. If the court appraisers' report is not accepted by either of us, then American Suburban Utilities, Inc. has the legal option of depositing the amount of the court appraisers' evaluation with the court. And if such a deposit is made with the court, American Suburban Utilities, Inc. is legally entitled to immediate possession of the easement. You may, subject to the approval of the court, make withdrawals from the amount deposited with the court. Your withdrawal will in no

way affect the proceedings of your case in court, except that, if the final judgment awarded you is less than the withdrawal you have made from the amount deposited, you will be required to pay back to the court the amount of the withdrawal in excess of the amount of the final judgment.

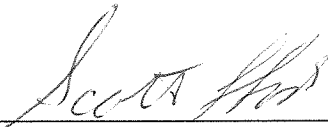
9. The trial will decide the full amount of damages you are to receive. Both of us will be entitled to present legal evidence supporting our opinions of the fair market value of the property or easement. The court's decision may be more or less than this offer. You may employ, at your cost, appraisers and attorneys to represent you at this time or at any time during the course of the proceeding described in this notice.

10. If you have any questions concerning this matter you may contact us at:

Scott Lods
American Suburban Utilities, Inc.
3350 West 250 North
West Lafayette, IN 47906
(765) 463-3856

This offer was made to owner(s):

City of West Lafayette, Indiana, c/o Thomas L. Brooks, Jr., Esq. of Tippecanoe County
hand-delivered on April 2, 2014.

By: 

Scott Lods, President
American Suburban Utilities, Inc.

If you decide to accept the offer of \$ 255.00 made by American Suburban Utilities, Inc., sign your name below and mail this form to the address indicated above. An additional copy of this offer has been provided for your file.

ACCEPTANCE OF OFFER

The City of West Lafayette, Indiana, by and through its Board of Works, owner of the above described property or interest in property, hereby accept the offer of \$ 255.00 made by American Suburban Utilities, Inc. on this ____ day of _____, 2014.

DATE: _____

CITY OF WEST LAFAYETTE
BOARD OF PUBLIC WORKS AND SAFETY

John R. Dennis, Mayor

Sana G. Booker, Member

Shawn R. Little, Member

Bradley W. Marley, Member

Jonathan C. Speaker, Member

Attest:

Clerk-Treasurer Judith C. Rhodes

Legal Description of Permanent Easement

LEGAL DESCRIPTION – City of West Lafayette (Document No. 91-13870; Key No. 134-08400-0391 (79-02-36-200-009.000-023))

Sanitary Sewer Facilities Easement

An easement for sanitary sewer facilities in the Northeast Quarter of Section 36, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana, said easement being 40-feet in even width, approximately centered on a sanitary sewer, and being more completely described as follows, to-wit:

Commencing at the northeast corner of Section 36-24-5 marked by a Berntsen A1NB aluminum monument; thence along the north line of the northeast quarter of said section, North 89°42'37" West, 1979.88 feet to a corner (near the intersection of County Roads 140 West and 500 North) of the Schroeder Land Trust property as described in Document No. 96-15666 in the Tippecanoe County Recorder's Office; thence along the east line of said Schroeder Land Trust property and the east line of the City of West Lafayette property (1.47-acre tract) as described in Document No. 91-13870 in said recorder's office for the following two (2) courses: (1) South 00°20'05" East, 558.36 feet to the point of beginning; (2) South 00°20'05" East, 40.06 feet; thence South 86°27'46" West, 62.95 feet; thence South 65°38'29" West, 144.95 feet to the south line of said City of West Lafayette property; thence along the south line of said City of West Lafayette property, North 89°44'14" West, 96.01 feet to the northwest corner of the Rogers property as described in Document No. 02-031965 in said recorder's office; thence North 65°38'29" East, 239.58 feet; thence North 86°27'46" East, 72.53 feet to the point of beginning, said easement containing 0.239 acres, more or less.

All of said easement lies within the legal drain easement for Hadley Lakes Legal Drain/Cole Ditch.

Approximately 0.011 acres of said easement also lies within the gravel pavement (possible apparent right-of-way) for County Road 140 West.

Approximately 0.170 acres of said easement also lies within the 100-year floodplain per Flood Insurance Rate Map Number 18157C0131D dated September 25, 2009.

Legal Description of Temporary Easement

LEGAL DESCRIPTION – City of West Lafayette (Document No. 91-13870; Key No. 134-08400-0391 (79-02-36-200-009.000-023))

Construction Easement

An easement for sanitary sewer facilities in the Northeast Quarter of Section 36, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana, said easement being more completely described as follows, to-wit:

Commencing at the northeast corner of Section 36-24-5 marked by a Berntsen A1NB aluminum monument; thence along the north line of the northeast quarter of said section, North 89°42'37" West, 1979.88 feet to a corner (near the intersection of County Roads 140 West and 500 North) of the Schroeder Land Trust property as described in Document No. 96-15666 in the Tippecanoe County Recorder's Office; thence along the east line of said Schroeder Land Trust property and the east line of the City of West Lafayette property (1.47-acre tract) as described in Document No. 91-13870 in said recorder's office for the following two (2) courses: (1) South 00°20'05" East, 558.36 feet; (2) South 00°20'05" East, 40.06 feet; thence South 86°27'46" West, 11.75 feet to the west edge of gravel pavement of County Road 140 West and the point of beginning; thence along said west edge of gravel pavement, South 00°01'21" West, 63.78 feet to the south line of said City of West Lafayette property; thence along the south line of said City of West Lafayette property, North 89°44'14" West, 183.12 feet; thence North 65°38'29" East, 144.95 feet; thence North 86°27'46" East, 51.19 feet to the point of beginning, said easement containing 0.164 acres, more or less.

Approximately 0.027 acres of said easement lies within the 100-year floodplain per Flood Insurance Rate Map Number 18157C0131D dated September 25, 2009.

